

Important Notice

November 10, 2005

To: ALL CONTRACTORS

Subject: ESCCC Temporary Waiver

Attached is a letter from the Chief Engineer that grants a temporary waiver of the requirement for Erosion and Sediment Control Contractor Certification (ESCCC) to comply with Section 107.14. This waiver applies to the certification requirement only, and in no way relinquishes the contractor's responsibility for compliance with environmental regulations. The contractor will be required to have a competent erosion and siltation control person on the project in accordance with the above specification and other applicable regulations. Be guided by the Chief Engineer's letter.

Don Silies
Contract Engineer



COMMONWEALTH of VIRGINIA


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GREGORY A. WHIRLEY
ACTING COMMISSIONER

November 8, 2005

MEMORANDUM

To: District Administrators
District Construction Engineers
District Maintenance Engineers
Residency Administrators
Area Construction Engineers
District Environmental Managers

From: Malcolm T. Kerley, P.E. 
Chief Engineer

Subject: Road and Bridge Specification 107.14(a): Special Provision 107D,
Department Erosion and Sediment Control Contractor Certification
Requirements

Application: New and Existing VDOT Contracts, Land Use Permits and
Maintenance Operations Which Include Regulated Land
Disturbing Activities

VDOT Road and Bridge Specification 107.14(a) requires contractors to have an employee certified by the Department in erosion and sediment control within the project limits. The Department has made this requirement applicable to all land disturbing activities (construction and maintenance) within VDOT right of way regardless of who performs the work, i.e., contractors working for the Department, contractors operating under a Land Use Permit or State forces. It should be noted that this requirement is only applicable to those projects (construction or maintenance) where the total land disturbance exceeds the regulated land disturbance threshold which is equal to or greater than 10,000 square feet or, in Chesapeake Bay Act Localities, 2,500 square feet. The Specification is currently being revised to reflect this clarification.

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The erosion and sediment control certification is satisfied by the successful completion of the Erosion and Sediment Control Contractor Certification (ESCCC) training course. In the past, this course has been presented through a joint effort between VDOT and VTCA. However, due to a delay in executing a new agreement between the Department and VTCA, no new ESCCC classes have been scheduled. Presently, the Department and VTCA are aggressively working toward the execution of a new agreement and the continuation of the ESCCC training classes.

Until such time future ESCCC classes can be scheduled and until notified otherwise, the requirement for VDOT personnel and contractors to meet the requirements of Section 107.14(a), through successful completion of the ESCCC training, is temporarily suspended.

The waiver of the ESCCC certification does not relinquish the Department's or the contractor's responsibility for environmental compliance. If there are any questions concerning this issue, please contact Roy Mills (Location and Design Division) at 804-786-9013 or roy.mills@vdot.virginia.gov or Ricky Woody (Environmental Division) at 804-786-4304 or ricky.woody@vdot.virginia.gov.

Cc: Ms. Costance S. Sorrell
Mr. T. A. Hawthorne, P.E.
Mr. Mohammad Mirshahi, P.E.
Mr. Earl T. Robb
Mr. Quinton D. Elliott
Mr. W. B. Coburn, P.E.
Mr. Lee Hill (DCR)